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PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

Approved for use through 08/01/2007. GPO: 2001-088.

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Application Number	09/997,034
Filing Date	11/28/2001
First Named Inventor	JENS GRIESWALD
Art Unit	2616
Examiner Name	Shick C. Hom
Attorney Docket Number	7123-US

ENCLOSURES (Check all that apply)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Tektronix, Inc.		
Signature			
Printed name	Thomas F. Lenihan, Reg. No. 32,152 for Matthew D. Rabdau		
Date	NOVEMBER 14, 2006	Reg. No.	43,026

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Date November 14, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **JENS GRIESWALD**

Serial No.: **09/997,034**

Art Unit: **2616**

Filed: **November 28, 2001**

Examiner: **Shick C. Hom**

For: **CIRCUIT ARRANGEMENT FOR TESTING
A COMMUNICATION SYSTEM**

November 14, 2006

Mail Stop Appeal Brief - Patents
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APPEAL BRIEF - SUPPLEMENT

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief dated November 8, 2006, attached is a replacement section for the Summary of the Claimed Subject Matter.

Replacement Section

Summary of Claimed Subject Matter

Claim 1:

Appellant's invention is "a circuit for testing a communication system (12, 16) that is subdivided into functional layers [1-7]", such as the OSI (Open Systems Interconnection) communication model. The circuit arrangement has "a port (32) that allows communication by a test apparatus (28) directly with any layer [2-7] that is higher than a first layer (14) [the physical layer] of the functional layers without the communication previously having to pass through the first layer." (Fig. 6; Abstract; page 11, lines 3-8)

Claim 6:

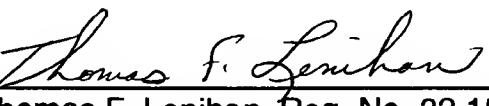
The circuit referenced above with respect to claim 1, which also is recited as part of claim 6, may be provided in a switch 16, referred to as a transit system, that directly outputs response data for analysis by the test apparatus at a higher layer above the physical layer via the port. The response data may be monitoring data or may be data generated in response to stimuli provided by the test apparatus. (Page 8, lines 14-23)

REMARKS

The Examiner indicated that the claimed invention is not mapped to identify independent claims 1 and 6, which should refer to the specification by page and line number and to the drawing. By this response Applicant is submitting a replacement Summary of the Claimed Subject Matter which is deemed to contain a concise explanation of the subject matter defined in each of the independent claims being argued in the appeal, referring to the specification by page and line number and to the drawing by reference characters.

Since the attached item may be submitted separately per MPEP1205.03, this item is submitted in lieu of a replacement appeal brief. Thus as supplemented by the attachment the Appeal Brief is now deemed to comply with all required provisions of 37 C.F.R. 41.37.

Respectfully submitted,
JENS GRIESWALD

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Attorney's Docket No.: 7123-US

November 14, 2006